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Filing date: **05/29/2008**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

## Petition for Cancellation

Notice is hereby given that the following party requests to cancel indicated registration.

### Petitioner Information

Name	eLynx Technologies, L.L.C.		
Entity	Limited Liability Company	Citizenship	Oklahoma
Address	6655 South Lewis, Suite 300 Tulsa, OK 74136 UNITED STATES		

Attorney information	Mark G. Kachigian Head, Johnson & Kachigian 228 West 17th Place Tulsa, OK 74119 UNITED STATES mkachigian@hjkllaw.com Phone:918-587-2000
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### Registration Subject to Cancellation

Registration No	3172037	Registration date	11/14/2006
Registrant	Skyworks Solutions, Inc. 5221 California Avenue M/C 41-1 Irvine, CA 92612 UNITED STATES		

### Goods/Services Subject to Cancellation

Class 009. First Use: 2006/07/27 First Use In Commerce: 2006/07/27

All goods and services in the class are cancelled, namely: Radio frequency and baseband wireless communications equipment, namely, power amplifiers, attenuators, power couplers, amplifiers, power signal conditioners, signal processors, namely baseband processors, radio transmitters, radio receivers, transceivers, down converters, radios, modulators, demodulators, power management units, electrical cables, cellular and telephone handsets, radio frequency tuners, wireless communication base stations, multiplexers, signal compressors, switches, communication routers, converters, millimeter wave semiconductor controllers, millimeter wave semiconductor mixers, radio frequency filters, antennas, semiconductor devices, communication chipsets, communication hardware for radio frequency and baseband wireless communication equipment, semiconductor wafers and communication software for use in operating wireless communications equipment

### Grounds for Cancellation

Priority and likelihood of confusion	Trademark Act section 2(d)
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### Mark Cited by Petitioner as Basis for Cancellation

U.S. Application No.	78969302	Application Date	09/07/2006
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Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	WELLLYNX		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2006/05/15 First Use In Commerce: 2006/05/15 Automated Systems, Namley Software, Hardware and Communication Equipment, Namely Devices For Transmission, Handling and Receipt of Short Message Service Information; All Used For Data Collection, Production Recording, Production Trending, Constant Equipment Monitoring, And Alerting Users to Equipment Malfunctions for the Natural Gas Industry		

Attachments	78969302#TMSN.jpeg ( 1 page )( bytes ) PetitionForCancellation.pdf ( 4 pages )(1707477 bytes )
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### Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/markgkachigian/
Name	Mark G. Kachigian
Date	05/29/2008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
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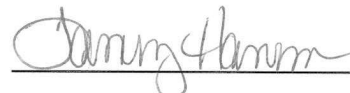
ELYNX TECHNOLOGIES, L.L.C.,	)	
an Oklahoma limited liability company,	)	
	)	
Petitioner,	)	Cancellation No. _____
	)	
v.	)	
	)	
SKYWORKS SOLUTIONS, INC.,	)	
a Delaware corporation,	)	
	)	
Respondent.	)	

**PETITION FOR CANCELLATION**

This petition is in reference to Trademark Registration No. 3,172,037 for the mark **LYNX** in the name of Skyworks Solutions, Inc. (hereinafter referred to as "Respondent").

Petitioner is eLynx Technologies, L.L.C., an Oklahoma limited liability company, having a principal place of business at 6655 South Lewis, Suite 300, Tulsa, Oklahoma 74136 (hereinafter referred to as "Petitioner").

I hereby certify that this paper or fee is being filed  
electronically with the Commissioner for Trademarks,  
Trademark Trial and Appeal Board, on May 29, 2008



Petitioner states, by and through its attorneys, that it believes that it will be damaged by Registration No. 3,172,037 for the mark **LYNX** registered November 14, 2006 to Respondent; further, Petitioner believes that the trademark **LYNX** has been abandoned by the Respondent and hereby petitions to cancel the registration. Petitioner hereby appoints Mark G. Kachigian and/or Shawn M. Dellegar and/or Cassandra L. Wilkinson of Head, Johnson & Kachigian at 228 West 17th Place, Tulsa, Oklahoma 74119, telephone number (918) 587-2000, members of the Bar of the State of Oklahoma, as its attorneys with full power of substitution and revocation, to prosecute this Cancellation and to transact any and all business connected herewith before the United States Patent and Trademark Office.

The grounds for this Cancellation are as follows:

1. Petitioner is an Oklahoma limited liability company, having a principal place of business at 6655 South Lewis, Suite 300, Tulsa, Oklahoma 74136.
2. Upon information and belief, Respondent, Skyworks Solutions, Inc., is a Delaware corporation with a correspondence address at 5221 California Avenue, Irvine, California 92612.
3. Respondent is the owner of Registration No. 3,172,037 for the mark **LYNX** in International Class 009 for radio frequency and baseband wireless communications equipment, namely, power amplifiers, attenuators, power couplers, amplifiers, power signal conditioners, signal processors, namely baseband processors, radio transmitters, radio receivers, transceivers, down converters, radios, modulators, demodulators, power management units, electrical cables, cellular and telephone handsets, radio frequency tuners, wireless communication base stations, multiplexers, signal compressors, switches, communication routers, converters, millimeter wave semiconductor controllers, millimeter wave semiconductor mixers, radio frequency filters, antennas, semiconductor

devices, communication chipsets, communication hardware for radio frequency and baseband wireless communication equipment, semiconductor wafers and communication software for use in operating wireless communications equipment. Respondent's date of first use is July 27, 2006.

4. Upon information and belief, the Respondent, Skyworks Solutions, Inc., has abandoned the trademark **LYNX** in connection with its above referenced goods.

5. The use of the mark **LYNX** by Respondent for the above referenced goods is similar in usage to goods identified by Petitioner's marks, and is likely to cause confusion in the minds of the purchasing public and to cause the purchasing public to assume goods identified by the mark **LYNX** are sold by Petitioner, eLynx Technologies, L.L.C., an Oklahoma limited liability company, or that such goods originate with or are connected in some way with Petitioner.

6. The continued existence of the Respondent's Registration No. 3,172,037 for the mark **LYNX** will endow the Respondent with at least the prima facie right to continue use of the mark, which has been determined confusingly similar to the Petitioner's trademark **WELLYNX**. Thus, continuation of the Registration bars the federal registration of the Petitioner's mark and creates a cloud upon the Petitioner's own right to continue to use, develop, and expand the use of the mark **WELLYNX**.

7. The Petitioner's date of first use of its mark **WELLYNX** is May 15, 2006. Therefore, Petitioner began using the **WELLYNX** mark before Respondent began using **LYNX**, and Petitioner thus has priority under Section 2(d) of the Trademark Act.

8. Furthermore, Respondent's abandonment of the trademark **LYNX** for use in connection with the above referenced goods makes the continued existence of Registration No. 3,172,037 for the mark **LYNX** untenable.

WHEREFORE, this Petitioner, eLynx Technologies, L.L.C., an Oklahoma limited liability company, believes that it will be damaged by the continued registration of **LYNX** as aforesaid and prays that said Respondent be required to answer this Cancellation, and that the Registration No. 3,172,037 for the mark **LYNX** be cancelled.

Respectfully submitted,



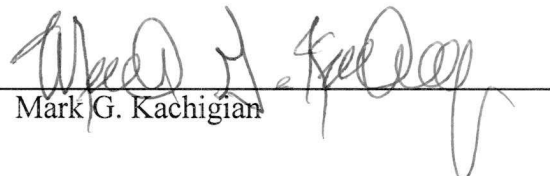
Mark G. Kachigian, Reg. No. 32,840  
HEAD, JOHNSON & KACHIGIAN  
228 West 17th Place  
Tulsa, Oklahoma 74119  
(918) 587-2000  
Attorney for Petitioner

May 29, 2008

### **CERTIFICATE OF SERVICE**

The undersigned hereby further certifies that on May 29, 2008, a true and correct copy of the foregoing document was deposited in the United States mail with sufficient postage thereon and addressed to the following:

Deanna Brown  
Skyworks Solutions, Inc.  
5221 California Avenue  
Irvine, California 92612



Mark G. Kachigian